

# The Agiot

10th Edition

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## Village News

By Dr. Lionel Mann  
Contributing Editor

Because everyone else is so busy this summer news-letter is reduced in size. We are, however, including an extra contribution from Octomann as a make-weight.

Chris and Nicky Dartford are back in the village. Visitors so far in June and July have included Kevin and Clodagh O'Halloran, Colin Christie with Catherine McCaule and friends, Ricky Collier, Richie Henderson, James and Liz Stuart, Linda and Denis Oxlee, Paul and Sally Grove, Micky Clark, Robert Bennett with considerable entourage, Ruairi O'Connor and family, Brenda and Dimitri, Hatto and Mieke, Danny from Belgium, the Deans of Dawlish, Linda (again) with Carole this time. Neil Sycamore has imported his bevy of beauties. Elke has returned to Hamburg for a few weeks; concert rehearsals are suspended.

Summer has really arrived, with temperatures in

the high thirties.

Our bright young indigenes have returned from their universities for the holidays. They are not always to be seen around the place as many are nocturnal creatures, active only during the hours of darkness and then only elsewhere, amid bright lights and loud music.

Bright lights and loud music temporarily had their place in the village too on 23<sup>rd</sup> and 24<sup>th</sup> June, the village Panegyri. Every town and village on the island celebrates the feast-day of its patron saint, the dedication of its church, in our case Saint John the Baptist. As well as religious observances, including a large procession around the village led by a band, a male-voice choir and a pomposity of priests, there was feasting and dancing (and leaping through fire!) on the plateia until the early hours of the morning. A team of dancers from the village schools performed on the Tuesday night this year. The aroma of roasting lamb was de-

tected as far away as Kombitsi and Vatos and great inroads were made into the local stock of wine.

Twice recently village tragedies have led to cancellation of the secular observances at Panegyri, but this time the wildest drivers curbed their cavorting for a few weeks. Varna's Konstandinos, aged twelve, has just been given a moped and is proudly careering around, the envy of his friends. We are a long way from Brussels!

# So You Think You Are Cleverer Than The Greeks?

## For those of you who have had vehicles removed by Greek Customs.

By Paul Mc Govern  
Editor

**Subject:** Case 156/04 (Commission v Greece) - Closure of the Infringement procedure 1997/4258.

Dear Mr. Mc Govern,

I refer to our previous correspondence regarding the above-mentioned infringement procedure opened by the Commission against Greece.

As you know, the Commission considered the Greek system of penalties unreasonable and their penalty scales disproportionate, thus infringing Directive 83/182/EEC and Art 90 of the EC Treaty. After having carried out the infringement procedure against Greece, the Commission decided to take Greece to the ECJ. Firstly, the Commission was alleging that Greece had an administrative practice whereby, in cases where the elements to be used as a basis for determining normal residence are divided between Greece and another Member State, the Greek authorities systematically fix the normal residence of the individuals concerned as being Greece. Secondly, the Commission criticised the fact that where Greece is thus determined to be the place of normal residence, disproportionate penalties ensue.

The decision in Case 156/04 was delivered on 7 June 2007 (accessible on the website of the ECJ [www.cmia.europa.eu](http://www.cmia.europa.eu)). The Court dismissed the Commission's allegations concerning the determining of the place of the normal

residence. According to the Court it is for the competent administrative authorities of the Member State to assess and weigh up all the relevant facts which characterise each case. Those authorities do not appear to have exceeded the discretion which they enjoy for the purposes of determining the place of normal residence of those concerned (points 46 and 49).

Contrary to the Commission's position, the Court as well decided that the national legislation categorising as smuggling an act of driving a car bearing foreign plates, by a person whose normal residence is in Greece, and which gives rise to criminal penalties - a prison sentence for the owner of the vehicle and seizure of the vehicle - and also administrative penalties in the form of fines, is not disproportionate (points 71-72).

On the other hand, the Court upheld the Commission's position that Greece cannot maintain legislation, which provides that no criminal proceedings are brought if the persons concerned pay the fee charged and refrain from seeking, in relation to the act leading to the imposition of that fee, the legal remedies provided for under national law. As it falls within the jurisdiction of the national courts to ensure that the Directive is applied and that the rights which individuals derive from it are protected by deciding upon, *inter alia*, the place of normal residence, the provisions of national law may deprive individuals of the effective judicial protection intended by Community law by inducing them, for the purposes of avoiding criminal proceedings, to refrain from seeking the legal remedies provided for as a

matter of course by national law (points 76-77).

Moreover, the Court agreed with the Commission that national legal provisions which allowed, in addition to fines, to temporarily immobilise the vehicles and release them only after payment of fines and other charges owed was contrary to Community law. That measure may deny the beneficiary the use of his vehicle for a period of time which may be lengthy, in particular where the fines imposed are disputed in legal proceedings. That measure is therefore disproportionate in relation to the objective pursued, which is the collection of fines. The objective can be attained by means more consistent with Community legislation, for example by the provision of a security (point 83).

The Court, however, dismissed the Commission's request to declare Greek legislation on the above-mentioned aspects as infringing Art 90 EC.

After the judgement the Greek authorities informed the Commission that the two provisions, which ECJ found incompatible with the Community law, were contained in a law which was already repealed in 2001 and that the current legislation complies with the judgement. More particularly, as regards the first criticism of the Court, the Greek authorities explained that the current legislation no longer makes the possession or use of vehicles registered in other EU countries by persons normally resident in Greece a criminal offence.

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It therefore does not contain a provision which would allow persons found guilty of this offence to avoid criminal proceedings by paying the registration fee charged and refraining from seeking legal remedies provided for under national law.

With respect to the second criticism of the Court it is explained that although under the new law it is still possible to temporarily immobilise Greek residents' vehicles registered in other Member States it can only be done in cases where the collection of charges owed to the State

is not guaranteed. This is unlike under the previous provisions where immobilisation was compulsory in every case and, in addition, the immobilisation is chosen only as a measure of last resort where the offender has refused either to pay the registration tax on the car to regularise the vehicle or to take the vehicle out of Greece. This option is considered by the Court as advantageous to the person concerned (point 84).

Based on the case-law of the Court, as it currently stands, it is the position of the Commission that the new Greek legislation complies with Community Law.

Therefore I will propose to the Commission to close this file, unless you inform us of new circumstances that warrant a further assessment within a month from the date of this letter.

Yours sincerely,

*Micole Wieme*  
Head of Unit

## Vivat Regina

By Dr. Lionel Mann  
Contributing Editor

One evening late in May 1953 I was visiting some friends in Kilburn. Fred Usher was a London taxi-driver, a great character. His wife, Flo, older son Alan, 18, recently started as a Post Office Telephones technician, and younger son, Francis, 11, a first-former at Kilburn Grammar School, were likewise excellent company. I visited weekly and always left with my sides aching from laughter; conversation between the four was a cross-talk act that surpassed anything to be heard on radio! That evening our talk was mainly concerned with the forthcoming Coronation.

"I'd like to go to see it," Francis affirmed.

"Don't be such a wozzle-nut. They'd never let you in." Alan was scathing.

"We've just got that new T.V.

You'll see it all on that," mother offered.

Television was a novelty in those days and the Ushers had just become proud possessors of a 30-inch monster.

"But I shan't be able to say I was there," Francis complained. "I'd only want to be outside to see them coming and going."

"You'd have to stay there all night to get a good place and you'd have to have someone with you," his father stated.

"Not me," Alan hastened. "I'm not standing around all night, not even for that."

Mother agreed with him, and father would be working that day, probably the most lucrative of his entire life.

I had been considering going to join the crowds that would line the routes to and from Westminster Abbey and wondering whom I might persuade to join me. Francis

greeted my offer with delighted alacrity and his parents consented, though all considered me somewhat crazy to consider spending a night on the streets.

On the eve of the great day we left Francis's home at seven in the evening, loaded with provisions provided by his mother, as well as a groundsheet, to catch a train from Kensal Green station to Trafalgar Square. There was no way that I was going to try to drive and find parking in central London that night!

When we emerged from Trafalgar Square underground station we were horrified to find the entire route around the square and down the Mall already lined eight, nine, ten deep. What to do? We decided to try to find a place on the route to the Abbey and then to dash home to see everything else on television.

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Even that looked doubtful; the crowds on the streets for the outward procession were already at least four deep.

We were walking slowly, hopelessly, behind the crowds gathered along Northumberland Avenue when we were hailed by a man in the back row. "Hey, you two titches, come in here. Anyone can see over you."

People moved over to let us through to the front and Francis immediately confounded their expectations of being able to see by buying the biggest Union Jack of a street-vendor's stock!

"Is he your big brother?" our new-found friend asked the boy.

"If he were my brother I'd buy him a wig for his next birthday." Francis grinned impishly. Although only twenty-six I already had a great deal of face to wash!

Indulging in the sort of banter that made his home such a merry place, my companion kept the people around us chuckling on and off all evening.

"It's bedtime," he announced at about ten o'clock, after we had made some inroads into our provisions. It had started to drizzle so he wrapped himself in the groundsheet, sat on the edge of the kerb, leaned back against my legs - and went to sleep. All night I stood and chatted with those around me, not daring to move for fear of waking Francis.

Rather before five in the morning, just as dawn was breaking, we were alerted to a disturbance in the direction Trafalgar Square that spread slowly towards us. Newsboys were shouting, but it was some time before we could make out their cries. Then suddenly, "Hillary con-

quers Everest! Hillary conquers Everest!"

Francis came awake, and enquired what was going on. He sprang to his feet and eagerly seized the newspaper that I bought. It had stopped raining and we read over his shoulder the news that Edmund Hillary and Sherpa Tenzing had reached the summit of Mount Everest, the first ever to do so, together with details of their achievement. What great news to greet the dawn of Coronation Day!

The paper also printed the order of coaches in the procession to the Abbey and the boy spent time memorizing it between bites of his mother's copious supplies. The news provided a constant topic for conversation all around, serving to pass the time quite pleasantly.

In due course police arrived to take their places in front on widely spaced spots painted on the road. They had their backs to the crowd. The days when law and order in Britain have so deteriorated that it is necessary for shoulder-to-shoulder police to scan crowds lay far in the future.

Seeing the constables take their places upon marks in the road led us to wonder what the white circle immediately in front of Francis indicated. We soon found out. Squads of guardsmen marched along, men falling out to take up posts in those circles.

"Oh, dear. I can't see a thing." Francis anguished.

The soldier inched sideways.

"He's afraid I'll knock off his hat." Francis assertive.

The soldier inched back.

"I didn't mean it." Francis apologetic.

The soldier inched sideways again.

"Isn't he nice? I hope his sergeant's kind to him." Francis ap-

preciative.

Our neighbours enjoyed it and we saw the guardsman's shoulders quivering.

Again light rain started to fall and the first coaches of dignitaries going to the Abbey were closed, but nevertheless all were greeted with cheers throughout their progress while the guardsmen smartly presented arms. My companion used the information gleaned from his earlier studies to tell us who was in each of them. Then came an open coach seating an immense dusky lady, braving the elements and waving enthusiastically. The crowd went wild and cheered to the echo.

"That was Queen Salote of Tonga," Francis announced. "She waved to me. It's a little island in the Pacific, isn't it? I bet it went up six feet when she got off."

Roars of laughter greeted that sally.

"You'd better never go there, sonny," suggested a man beside us. "They'd stake you out to the land-crabs for that."

The rain stopped. Winston Churchill's coach was another that gained an extra loud cheer. It was only eight years since he had announced victory and the memory was still very fresh. The coach of the recently-bereaved Queen Mother also gained added recognition. Londoners recalled vividly how she and King George VI had stayed with them and their home had been damaged during the Blitz.

The approaching roars and sight of the gleaming breastplates of the trotting Sovereign's Escort of the Household Cavalry brought excitement to a frenzy and then appeared the golden State Coach bearing our beautiful young queen,

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accompanied by her handsome consort, to her coronation. Nobody so much as stepped from the pavement, though there was nothing stopping them, but the cheering, waving of flags, exceeded by far anything that had gone before. It was absolutely deafening. I was afraid that Francis, frantically waving his flag, would in fact remove the guardsman's busby.

Republics are welcome to their "elected" (usually corruptly) pernicious, pompous, power-crazed, politician-presidents, blots on the face of the earth and the very best of recommendations for an impartial hereditary monarchy. Even the worst monarchs that Britain has suffered have not unleashed so much agony on the face of the earth as it has seen in the last ninety years from the brainless brutal oafs that have held presidential or other leading office in many lands. Great Britain has its gracious Queen, inheriting the wisdom of many generations of forebears - although she may be badly served by her ministers!

The crowd dispersed. Francis grabbed my hand and dragged me urgently through the masses towards Charing Cross station. He did not always realise that I could not penetrate gaps through which he could easily slip.

"Whoa, sonny, take it easy. You got a train to catch?" A young man grinned as the boy tried whisking between him and his girl.

"Yes, and it won't wait either;

the driver wants to see his T.V. too." Francis was never stuck for an answer.

The fellow laughed and let us pass.

We dashed into the station. Our tickets had been bought the previous evening so there was no delay. A train was being waved away but the guard saw us rushing on to the platform. He held open a door and we fell in as it moved off. People shifted to make room for us as we caught our breath. On the journey we finished our supplies.

At Kensal Green station the eagle-eyed ticket-collector halted our dash. Tickets bought the previous day were not current tender. He relented and let us pass when we urgently explained where we had been. I actually won by a short head in the race to the Usher house. Alan answered the door and was nearly flattened to the wall as his brother burst in to throw himself down on the carpet in the lounge in front of the television set.

The ceremony had not yet started so we were able to see it from the very first majestic entry of all involved. In the meantime Flo cooked a meal for us and I can confidently affirm that I saw Queen Elizabeth II of Great Britain crowned while I was eating bacon, sausage, tomatoes, eggs and toast washed down with hot sweet tea.

Without moving from his vantage point Francis had been slipping off overcoat and blazer in stages.

His mother picked them up and went through the pockets.

"Here, look at this." She extracted from his blazer a half-eaten egg sandwich.

Her son seized it and stuffed it into his mouth, attached fluff and all. "Thanks, mum. I wondered where that was."

After watching the Abbey ceremony Fred hurried away to his business amongst the crowds, leaving us watching the procession from the Abbey back to Buckingham Palace. Again Queen Salote was winning extra acclaim.

"Look, mum, she isn't half fat - even fatter than you." Giggling, Francis rolled quickly away from the slap that his mother aimed at his rear.

That day in London, all those years ago, 2<sup>nd</sup> June, 1953, remains vividly in my memory. I was there!

# Military Manoeuvres

By Dr. Lionel Mann  
Contributing Editor

During my time in the Army, once I had completed the six weeks Primary Training, I had almost no more experience of “square-bashing”, the brainless strutting and stamping so beloved of the military. Moreover I could not run up to a suspended sandbag, brandishing a bayoneted rifle and hurling obscenities against a “filthy Nazi”; I could only giggle at the absurdity. The Army gave up on me and sent me to be trained as a shorthand-typist!

However, when I was posted to B.A.O.R., I spent a few days at a Holding Battalion, whilst being inoculated against plagues that were supposed to be rife on the Continent. Affairs at the camp were chaotic, largely owing to a shortage of senior N.C.O.s. At the time I was only a corporal, but found myself, along with two other corporals, detailed to take charge of a draft of one-hundred-and-twenty soldiers also destined for Germany.

One afternoon we marched our “squad” down to the Medical Centre for the “jabs”. The three of us pulled rank and went first while the needles were still sharp. Afterwards we were waiting outside while two or three who had “flaked out” under the ordeal were being revived, and the rest of our charges were relaxing on a nearby grassy bank.

I saw an officer approaching and we quickly checked dates of promotion to find out who was the senior. It transpired that it was I.

“All right; fall in - please.” My “order” delivered with very unmilitary politeness met with appreciative merriment, but the troops quickly obeyed, and upon my next

more conventional command came smartly to attention while I saluted.

The next evening I was detailed to act as “Warrant Officer” in charge of the twelve-man guard at the Detention Wing. Having from my first “military” days been excused any guard duties and parades, I had absolutely no experience of such a task, and asking around produced no real instruction.

The “Battalion Orderly Sergeant”, a lance-corporal, delivered my guard to the appropriate rendezvous more than an hour late and I marched them off to Battalion H.Q. By that time it was too dark for the Battalion Orderly Officer (a real one) to carry out more than a very cursory inspection. He was not pleased and reprimanded me for dilatoriness. It is useless to attempt explanations in the hidebound Army.

“Guard Commander, take post.” I knew what to do upon receiving such order and with almost exemplary precision marched to my position behind the triple four-man ranks.

“Detention Wing Guard, forward - march.” They marched very briskly.

I thought that the officer would give the “Right Turn” order, not knowing that it was my responsibility. He halted the ranks when they were marching smartly upon the beautifully-maintained flower-garden in front of headquarters.

I received another reprimand before order was restored and we marched off. Well away from H.Q. the humour of the incident struck us all and our process was accompanied by chuckles.

We sobered up upon approaching the austere isolated Detention

Wing. The Warrant Officer in charge delivered yet another blistering reprimand at being kept for more than an hour from his drinks in the mess. He also read out the list of dire penalties that would fall upon us if any of the incarcerated desperados (whom we never saw) should escape while we were responsible for holding them.

Four men in turn were on guard for two hours at various strategic points of the perimeter while I was responsible for ensuring their vigilance and prompt relief. Never having experienced such a performance I was not aware that the eight off-duty should also at all times be prepared for instant action, and I allowed them to lie down and to remove their constricting equipment and boots. At around midnight the W.O. returned to check up and became completely cataclysmic at such “conduct to the prejudice of good order and military discipline”.

At that time I was attached to Judge Advocate General’s Department and was on the way to join a War Crimes Prosecution Team as urgent replacement for a demobilized clerk. My posting therefore carried some degree of priority so, though the W.O. breathed fire and brimstone and uttered threats of dire penalties, I heard no more of the matter, but recollection of my brief skirmish with military affairs still affords me considerable amusement.

Passing by Battalion H.Q. the following morning I observed a couple of men trying to repair the ravages to the garden resulting from my exploits of the previous evening! I did not linger!

## PROPERTY PAGES



### Vernoukos

The two-storey three-bedroomed centrally heated home stands high above the sea, an infinity pool lies between it and the forested terraces which tumble away to the shore. The often overused accolade 'Location, Location, Location' is richly deserved here.

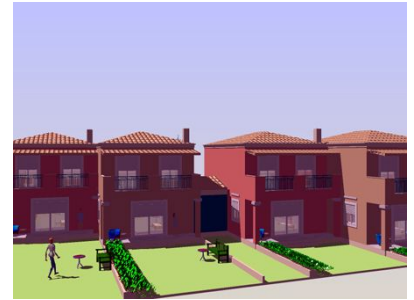
Price: € 1,200,000



### Coastal near Giannades

This is a quite magnificent development overlooking the sea from a raised position, a short distance from the old village of Giannades. The property is secluded. Set on a piece of land approximately four stremmas [1 acre] in area, there are two detached villas with landscaped terraces dropping down to an infinity pool.

Price € 1,300,000



### Agios Ioannis

Set in the village of Agios Ioannis, 5 miles from town, is this new development of 4 linked-detached houses, set in a quiet corner of the village. Plans are drawn and approved and available. Building is due to commence shortly. Each house is of two storeys, comprising 100 square metres altogether, and each has its own small garden.

Price € 175,000



### Acharavi

Not far up into the hills above the lively and attractive resort of Acharavi, nestles these two detached villas, set in 1/4 acre of secluded garden. The villas are 80 and 90 square metres respectively. The smaller is two - bedroomed, the larger, three - bedroomed. In the garden also stand a small wooden house and a shed, and a barbecue.

Price € 350,000



### Kokkini Village

This well-preserved bungalow was built in 1991/2 and stands on a crest in the village of Kokkini, overlooking the valley below and the mountains fringing the sea in the west. It is 96 sq. metres with 2 bedrooms, lounge, mahogany kitchen. Outside it is surrounded by a verandah [60/70 square metres], giving splendid views.

Price: € 300,000



### Giannades

This detached house of 144 square metres lies in gardens which include a 25 square metre garage. There is plenty of room for a swimming pool.

Price: € 280,000

For More Properties Go To - [www.propertycorfu.org](http://www.propertycorfu.org)

## PROPERTY PAGES



### Varipatades

This is a great little cottage in Vari-patades with a lovely orchard garden and a very large outbuilding, crying out to be a grand kitchen.

See it!

Price € 70,000



### Ano Korakiana

In an idyllic old world location, amongst the cottages of Ano Korakiana, not far from the National Paleokastritsa highway leading swiftly to town, is this splendid detached house, nestling on the mountain slopes with lovely views below. The spacious three storey house requires renovation but is very sound structurally.

Price € 70,000



### Faery Cottage

This is definitely the time that land forgot and this one small picture is to entice the romantic amongst you to seek out this idyllic spot amongst the northern, olive-clad mountains. Come and live in this stunning terrain, and yet only ten minutes by car to the northern beaches and shops.

Price € 120,000



### Spartilas Bargain

This cottage tucked away in the sleepy lanes of the mountain village of Spartilas is a good buy for the person who wishes to revive it to its former condition. It is basically sound and therefore well-priced. Spartilas is perched on the mountainside above Barbati with beautiful views to the sea. Well worth viewing.

Price € 35,000



### Panorama Development

Stunning, innovative, moulded to the terraces villas, enjoying unspoiled views across the valley. Both three-bedroom villas are one hundred square metres basic with extra covered area in the linkage. The villas are centrally heated and feature spiral oak stairwells.

(See website below for details)

Price: € 326,000



### Ropa Valley

Are you adventurous? Would you like something slightly out of the ordinary? Set in a paddock of 4000 square metres, surrounded by beautiful countryside and yet only seven miles from Corfu Town, is a timber-built house dating from only 2004 together with a separate holiday cottage. The owners have further enhanced this fascinating property by adding a balcony.

Price: € 185,000

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